

Department of Veterans Affairs

§21.7612

reservist's application for assistance under this chapter when he or she—

- (i) Fails to report for counseling;
- (ii) Fails to cooperate in the counseling process; or
- (iii) Does not complete counseling to the extent required under paragraph (b)(1) of this section.

(Authority: 10 U.S.C. 16136(b); 38 U.S.C. 3967(a); Pub. L. 98-525, Pub. L. 99-576)

(c) *Availability of counseling.* Counseling is available for

- (1) Identifying and removing reasons for academic difficulties which may result in interruption of discontinuance of training, or
- (2) Considering changes in career plans and making sound decisions about the changes.

(Authority: 10 U.S.C. 16136(b); 38 U.S.C. 3967(a); Pub. L. 98-525)

(d) *Provision of counseling.* The Department of Veterans Affairs shall provide counseling as needed for the purposes identified in paragraphs (a) and (c) of this section upon request of the reservist. In addition, the Department of Veterans Affairs shall provide counseling as needed for the purposes identified in paragraph (b) of this section following the reservist's request for counseling, the reservist's initial application for benefits or any communication from the reservist or guardian indicating that the reservist wishes to change his or her program. The Department of Veterans Affairs shall take appropriate steps (including individual notification where feasible) to acquaint reservists with the availability and advantages of counseling services.

(Authority: 10 U.S.C. 16136(b); 38 U.S.C. 3967(a); Pub. L. 98-525, Pub. L. 99-576)

[53 FR 34740, Sept. 8, 1988, as amended at 56 FR 9628, Mar. 7, 1991]

§21.7603 Travel expenses.

The Department of Veterans Affairs will not pay for any costs of travel to and from the place of counseling for anyone who requests counseling under 10 U.S.C. chapter 1606 or for whom

counseling is required under that chapter.

(Authority: 38 U.S.C. 111)

[56 FR 9628, Mar. 7, 1991, as amended at 61 FR 20729, May 8, 1996]

PROGRAMS OF EDUCATION

§21.7610 Selection of a program of education.

(a) *General requirement.* An individual must be pursuing an approved program of education in order to receive educational assistance.

(Authority: 10 U.S.C. 16131; Pub. L. 98-525)

(b) *Approval of a program of education.* VA will approve a program of education selected by a reservist for payment of educational assistance under 10 U.S.C. chapter 1606 if—

(1) The program accords with the definition of a program of education found in §21.7520(b)(17) of this part,

(2) It has an educational, professional or vocational objective (as defined in §§21.7520(b)(7) and (28) of this part), and

(3) The courses and subjects in the program are approved for VA purposes as provided in §21.7720 of this part.

(4) The reservist is not already qualified for the objective of the program.

(Authority: 10 U.S.C. 16136(b), 1671; Pub. L. 98-525)

[53 FR 34740, Sept. 8, 1988, as amended at 61 FR 20729, May 8, 1996]

§21.7612 Programs of education combining two or more types of courses.

An approved program may consist of courses offered by two educational institutions concurrently, or courses offered through class attendance and by television concurrently. An educational institution may contract the actual training to another educational institution, provided the course is approved by the State approving agency having approval jurisdiction over the educational institution actually providing the training.

(a) *Concurrent enrollment.* When a reservist cannot schedule his or her complete program at one educational institution, VA may approve a program of concurrent enrollment. When requesting such a program, the reservist must